

When I see them I feel like beating them'

Corruption and the South African Police Service

ANDREW FAULL*

afaull@issafrica.org

South African survey data on citizen attitudes towards police have, for the past ten years, indicated a lack of trust in law enforcers. Similarly, the SAPS has, since the early nineties, developed a public image as a widely corrupt organisation. In 2010 the SAPS reverted to military ranks and adopted a discourse of 'force' in an attempt to improve discipline, effectiveness and image. This paper presents a summary of findings from 15 focus groups conducted in mid-2010 that sought to explore public experiences and perceptions of police and police corruption.

Sixteen years into democracy, and ostensibly in response to civilian frustration with crime, the SAPS recently readopted both military ranks and a discourse of force. Initiated in April 2010, the shift has been touted as an attempt to improve discipline within an organisation that has developed a reputation as being plagued by corruption. The SAPS justified the change, saying 'wars are led by commanders'. An underlying inference was that a police body that adopted a 'forceful' approach to crime, would be more effective and win more public support. This is however a controversial policy position, and does not appear to be based on what surveys have indicated is behind relatively low and declining levels of public trust in the police.

Surveys have shown that a lack of trust in police correlates with a belief that most police are corrupt, although this is not the only reason for a lack of trust in the police. While survey data provide a valuable indication of civilian

perceptions and trust in police, they do not offer detail on the types of experiences civilians have of police. The ISS therefore undertook research with the objective of understanding how people from different communities experienced police corruption and its effect on civilian perceptions of, and trust in, the police. In addition, the research explored the kind of police organisation that victims of police corruption want and whether a more 'forceful', militarised police image has any appeal to those who have experienced police abuse of power.

METHOD

In May and June 2010, the Community Agency for Social Enquiry (CASE), on behalf of the ISS, conducted 15 focus groups that explored citizen perceptions and experiences of police and police corruption. Criteria for participation in the focus groups were that participants had to be older than 18 and had to have had contact with police in the preceding year. Additionally, at least half the participants in each group were to have

* Andrew Faull is a researcher in the Crime and Justice Programme at the Institute for Security Studies.

experienced something *they* described as 'police corruption'. It is therefore important to note that this research is not generalisable to the average citizen. The research did not seek to provide answers to the extent of police corruption that occurred, but rather to explore the *detail* of the corruption experienced by people in different community settings and how these experiences impacted on their perceptions of, and trust in, the police.

Focus groups were conducted among people from different communities in Cape Town, Johannesburg and Durban. Within each city five groups were drawn; from an informal settlement, a formal township, an inner city area, a suburban area, and a rural area outside the city.

One hundred and forty-eight (148) participants took part in the 15 groups. Half the participants were men and half were women. Of the 156 participants initially recruited, 127 said that they had directly experienced police corruption.

Moderators asked participants the following questions:

1. Describe your ideal police official.
2. How are police officials different from this ideal?
3. Where would you turn if you had a problem with the police?
4. Do you trust the police generally?
 - a. Why/why not?
 - b. What would make you trust the police more?
5. What was your most recent experience with the police?
6. Can you give an example that you personally know of where someone gave a police official something (such as money or a gift) in order to get assistance from the police official?
7. What do you think police corruption is?
8. Have you, or anyone you know, ever experienced police corruption?
 - a. What happened?
 - b. Did you do anything about it?
9. What would you like the government to do to stop corruption in the police?

This article focuses on findings emerging from the discussions in relation to questions on the ideal police, trust in police, experiences of police corruption, and perceptions of what government should do to address police corruption.

IDEAL POLICE

Participants were asked to describe the ideal police official and police organisation. Overall there was a consensus among participants. The following quotes are indicative of typical responses:

To me the ideal policemen... are those who come immediately if I phone them. (Cape Town, informal settlement)

We are requesting that the police are fit. They are shooting because they cannot run. (Johannesburg, suburb)

Treat us like human beings and not like animals. (Johannesburg, inner city)

An ideal policeman should be a peace officer that coordinates with society at large. (Johannesburg, formal township)

I wish the police could be compassionate and respectful people. (Durban, formal township)

We need to have our police's education and skill levels rise to international levels, because the world is laughing at our police. (Durban, inner city)

The notion of ideal police centred around police who were:

- Competent, providing hassle free service
- Punctual
- Educated and trained
- Friendly and approachable
- Patient and respectful

On the other hand, participants described SAPS members in the following ways:

The police that we have seem like they are doing us a favour whilst it is their calling to serve us. And they need bribes from us. (Cape Town, suburb)

You go to the counter, [the police woman] is the only person sitting there, she has her phone and her earphones. When you come in through the door she does not even lift up her head... you will wait there and sit. (Johannesburg, rural)

The police are always quick to beat up a person... You find it very often that the police beat up a person but in fact the person they are beating up knows nothing. (Durban, formal township)

If they have arrested you they ask you how much you have and they leave you there. They take your R100 or R200... and say 'go back home'. (Johannesburg, rural)

If you are not well known they don't want to help you. If you are a celebrity or something, your case will be solved right now. If you are an ordinary person [you wait] three years or longer just to find your case was closed. (Johannesburg, suburb)

Themes dominating answers to this question described police as:

- Rendering a poor service to clients
- Involved in corruption and crime
- Self-interested and uncommitted

Other descriptions of the police were as uneducated, as drunks, as impatient, as unfriendly, and as giving preferential treatment to certain groups of people. It was also said that they were disrespectful, and harassed women. What was most important to participants was the nature of police interaction with civilians. Although some reference was made to the importance of 'keeping us safe', very little emphasis was placed on the expectation that police should prevent and reduce crime. This stands in contrast to the 'war on crime' rhetoric emanating from police and political leadership.

TRUST IN POLICE

Overwhelmingly, participants in the focus groups indicated that they did not have trust in the police. In about half the groups, one or two participants qualified their response by stating that not all police were bad. These participants usually made

reference to having received, or witnessed what they considered to have been good service from police. This demonstrates the positive impact that professional service can have on civilian perceptions of the police. Similarly, an ISS National Victims of Crime survey found that contact with SAPS officials often improved the perception of police in the minds of the civilians involved.⁵ Among focus group participants the same appeared true for those whose last contact had not involved police crime or corruption.

Asked to give reasons for why they didn't trust police, many participants referred to negative experiences they had had with police. The following are some examples:

I don't trust the police. I don't even want to see them. I hate them. They do wrong things. They don't help the community. If you ask a police van to be sent it won't come... the police will arrive in their own time... When you are drunk they just take you and arrest you without any questions... I was arrested [like that]. (Cape Town, informal settlement)

I don't trust them because if you go there for your problem they do not take you seriously. They make a joke out of your problem. (Johannesburg, informal settlement)

To prove police are not trustworthy, there was a time... when police used to come into the houses asking for slips of TVs and DVDs. They took a DVD [from my friend and me]. They tell people that they should go to the police station to get their stuff back and when they went to the police station [the police] said they did not know about the operation. How do we trust the police if such things happen with police in uniform? It is very common here. (Cape Town, formal township)

I cannot trust a policeman whom, when I go to report that I was abused by my boyfriend, he sees that as an opportunity to ask me out and he starts touching you. (Durban, rural)

These and other responses to this question can be grouped into the following themes:

- Experiences of poor or unprofessional service
- Experiences of police crime or corruption
- Experiences of police sexual harassment
- Perceptions of police as corrupt

In most instances, negative public perceptions of the police are closely related to direct experiences of what is considered criminal, poor or unprofessional service. However, *perceptions* (rather than experiences) that police are corrupt were the fourth most common reason given for a lack of trust.

Male participants tended to perceive police officials as giving preferential treatment to women, while some women complained of sexual harassment and threats by police. Participants generally spoke about police as being men. Jewkes and Morrell suggest that 'South African masculinities all valorise the martial attributes of physical strength, courage, toughness and an acceptance of hierarchical authority... they demand that men are able to exercise control.'⁶ In this regard, participants' perceptions of police are perhaps indicative of trends in masculinity across the country, rather than in the SAPS alone. Nevertheless, sexual discrimination and harassment by police remains a matter that can be addressed within the organisation.

Asked what would increase trust in the police, participants said that police officials should:

- Do their jobs 'properly' and provide a consistent service
- Refrain from corruption
- Be monitored by an independent body
- Communicate better in person and with communities
- Be subjected to more stringent recruitment criteria

POLICE CORRUPTION

Corruption-related accounts that emerged during the focus groups can be ordered into the following themes:

- Petty extortion/bribery
- Serious extortion/bribery
- Attempted bribery

The majority of accounts related to bribery, while a few related to attempted bribery. Among experiences of bribery, most can be described as 'petty corruption'. These incidents usually involved traffic or drinking-related extortion by police working alone or in pairs. Typical examples were of police at roadblocks requesting a 'cool drink' (money) to ignore the absence of a license, or to ignore alcohol on the driver's breath. However, other examples involved police extorting money in the absence of an offence, for example from someone drinking alcohol in their front yard, or walking on the street with sealed bottles of beer. The following is another example:

I was next to the Spar...[the police] said we must face the wall. They searched us and did not find anything. They [asked] where is my ID. I said to them I am not a foreigner who always carry his identity... they arrested me and put me into the van. I tried to resist and they ended up beating me up... My mother came with my ID... they wanted R300 to bribe them to release me. (Johannesburg, inner city)

Some accounts involved more serious bribery, mostly in return for closing cases on behalf of the accused. Examples included the accused in a domestic violence case paying police to release him without opening a docket, a detective lying to a magistrate about lack of evidence in return for payments from the accused, and police regularly accepting alcohol from an illegal tavern in return for not closing it down:

I used to have a tavern with no licence... the police would check when we go with a bakkie to stock liquor... When they see us with stock the police came to take our liquor as if they were arresting us, we were scared... [we] gave them some and took some. That is very common here. (Cape Town, rural)

Accounts of *attempted* bribery were also shared. In three instances the victims refused to pay and were let off. In the remaining two accounts, police became abusive when they realised their victims did not have money. In one instance the victim was driven around by police, then left on the side

of the road, at night and in the rain. In the second, police forced the victim to run back and forth across a busy road, carrying a stone. The effect of such abuse is summed up by the victim of this incident when he says, 'When I see [police] I feel like beating them.' This participant's words, perhaps more than any others, sum up the negative impact that corrupt and abusive encounters have on civilian trust in police.

CIVILIAN COMPLICITY IN BRIBERY

Focus group participants tended to describe police officials as the initiators and benefactors of illicit transactions, while positioning themselves as victims. Although police officials appear to have initiated the transaction in most instances of petty bribery recounted, this was not always the case. In some petty offences and in at least half of the serious bribery accounts, participants reported initiating the exchange themselves. While blame must be apportioned where it is due, it should be recognised that civilians are only likely to offer bribes where there is little risk of punishment and a fair degree of potential for success. Such an environment can only exist where police are known to be open to offers.

The normality of police willingness to engage in such exchanges, at least in certain Johannesburg townships, is well illustrated in research conducted by the University of the Witwatersrand. This research suggests that for many people, it can be difficult to access service from the police without relationships based on some form of exchange.⁷ Most importantly, though, the fact that civilians may initiate an exchange does not negate the fact that the encounter contributes to their loss of faith in the police.

ROBBERY, THEFT AND OTHER ILLEGAL AND UNPROFESSIONAL CONDUCT

Most serious criminal encounters with police involved robbery and theft. A few participants described being robbed by police while one described participating in armed robberies with an off-duty police official:

I also have a friend you see... That guy is a policeman... Most of the time we go in the night with that guy right. He has a firearm... We have our own firearms with our licences. When we didn't have money, we could say 'Man, here is the people let us stop them.' We used to stop the people and take their money. (Johannesburg, suburb)

Another account involved police robbing a foreign national. Two involved police stealing items from people being searched during police operations, and one involved police stealing items from passengers in a taxi involved in an accident:

The taxi I was in collided with a car. The police arrived and the first thing they did was search our bags... They take our money, cell phones and everything. (Cape Town, informal settlement)

Experiences of theft by police officials included theft out of a vehicle impounded by the SAPS, the theft of items left in police safekeeping, and theft from the body of a deceased following a car accident.

Other examples offered were not clearly criminal, nor did they involve simple incompetence. Instead they described grossly inappropriate behaviour by police. One example was of police who refused to open a docket after a woman reported that her former boyfriend had pointed a firearm at her. After pursuing various channels she was directed to speak to a superintendent:

I asked for this [superintendent]. [He] was wearing a jacket and in it was an Oude Meester Peppermint brandy. [He] held me close to him and led me outside the police station and told me that I must be aware that they as police have families and they would not like to be killed for family issues. He reminded me that I was in love with this man... He then gave me some of his brandy, I drank it and I left. (Cape Town, formal township)

Another example involved a victim of car theft. Community members caught one of the alleged car thieves and beat him to death. When the police

arrived they arrested the owner of the stolen vehicle when she refused to identify those involved in the beating. They took her to the police station where:

They tortured me and I was so scared and begging them to open at least the window... I sat in the corner scared and the police asking me to tell the truth about the people who had beaten up the boy.

She was later released without charge but her ordeal was not over. The policeman driving her home:

... drove the car and on the way he started telling me that even though I was older than him but my vagina was not old... (Cape Town, formal township)

The woman managed to avoid his advances but the policeman returned the following day in civilian clothes, apparently to sexually proposition the victim once more. She pretended to call out to her husband (she did not have one) and he left.

Although this example represents an extreme rather than a norm, the extent of abuse was so severe that it in all likelihood destroyed any trust the victim had in the police. Furthermore, it is likely that such accounts are shared with friends and family who in turn may lose faith in the police. As such, this kind of abuse erodes police-civilian relationships far beyond that of the victim alone.

KNOWLEDGE OF OVERSIGHT AND COMPLAINTS MECHANISMS

Asked whether they had done anything to report their criminal and corrupt encounters with police, only one participant had, and this had been unsuccessful. One other participant successfully laid a grievance against an official at a station. That complaint was about unsatisfactory service rather than corruption.

Generally, participants revealed ignorance or mistrust of the civilian agencies that exist to

oversee or independently investigate cases of police abuse. Most participants said they didn't know where they could report a complaint against police, or that none of the official channels could be trusted. Some said they could turn to senior police at station level, though few had sufficient trust in the police to pursue this option. Seven participants mentioned South Africa's official complaints body, the Independent Complaints Directorate (ICD), though it was not spoken of favourably.

Although on paper South Africa has an impressive oversight and complaints framework, participants' lack of knowledge about, or faith in these bodies suggests that complaints services don't practically reach or serve the needs of many South Africans. Importantly, recent legislative amendments further empowering the ICD may see it becoming a more effective body in 2011, which may in turn lead to greater public confidence.⁸

WHAT GOVERNMENT SHOULD DO

Most of the research participants wanted the government to create a police agency that provides quality service, is responsive to public needs and is not corrupt. However, there was a lack of trust in the ability of the police to monitor themselves. One participant went so far as to say government should hire spies to watch the police, while another said police should be 'monitored' from the moment they start work to the moment they end. More common suggestions to combat police corruption were:

If the police committed a crime he mustn't be suspended but dismissed. (Johannesburg, rural)

If they were well paid they wouldn't want a bribe... that's why the police are corrupt. (Durban, rural)

They must tell people that if you see a police officer doing something wrong, where you can go to report it. It must be a place where they are going to take you serious and act so that you can see that they have acted for you. (Johannesburg, inner city)

Technology might help here and there... they show everything through the cameras... all those people who are doing wrong things can be seen immediately. (Cape Town, informal settlement)

I think the state has the responsibility to educate the community, because you see, corruption is there where the community does not know. (Johannesburg, suburb)

The police force is being politicised. You cannot have the police commissioner coming out of a political party. He is not skilled and he doesn't know anything about policing. (Johannesburg, inner city)

These examples are indicative of six overall general themes that covered most answers:

- Arrest and make examples of police involved in criminal and corrupt activities;
- Improve the salaries and working conditions for police;
- Introduce hotlines and reporting centres independent of the SAPS;
- Introduce technology to monitor police;
- Educate the public on the role of the police;
- Depoliticise the position of chief of police.

Interestingly, some of the suggestions have already been implemented over the past few years. For example, the SAPS budget, salaries and access to resources improved significantly from 1999, though of course they could be further bolstered. The Department of Public Service and Administration (DPSA) has for more than ten years hosted a national anti-corruption hotline, as has the ICD for the past five years. Participant feedback suggests these initiatives have not been adequately communicated to the public, nor have they led to significant changes in public perception.

CONCLUSION

This research sought to provide insight into civilian perceptions and experiences of the South African Police Service, particularly with regards

to trust and corruption. When participants explained their ideal police official and organisation, little emphasis was placed on crime fighting, certainly not on 'waging war' on crime. Rather, they described motivated, competent and resourced individuals who treated the public with patience and respect.

The importance of this is highlighted by the fact that despite constant reductions in overall crime over the past decade, perceptions of police remain fairly negative. Conversely, the apparent success of the SAPS' 'Be an ambassador for the 2010 Fifa World Cup and Beyond!' campaign suggests members can, when they put their minds to it, and when under close supervision, engage with civilians professionally. The SAPS and its members were heralded for their professionalism, particularly at the various stadia during the World Cup in South Africa.⁹

Participants tended to have minimal knowledge of police oversight and complaints infrastructure. Where they did have knowledge of these, they demonstrated a lack of faith in reporting complaints at police stations or to the ICD. This highlights the reality that currently there is no simple, swift and effective complaints and investigation mechanism in South Africa to which victims of police abuses can turn. This may improve in 2011 when the ICD becomes the Independent Police Investigations Directorate, though far more than legislative and name changes will be necessary. Effective feedback mechanisms need to be in place if SAPS senior managers are to understand, and respond effectively to, the extent and nature of police misconduct that occurs in South Africa.

The type of corruption most commonly experienced by participants was petty roadside bribery involving officials working alone or in pairs. However, numerous other offences were mentioned too, including robbery, theft, torture and gross sexual harassment.

The data illustrated the damaging effects of criminal and unprofessional police conduct on civilian trust in police. If the April 2010 shift in

rank and discourse really is part of a bigger strategy of reform around discipline and professionalism, then the changes are indeed positive. However, in contrast to a rhetoric of force, participants in these groups called for police who were polite and respectful. These data serve as a call to create a more professional national police body that puts service to the people first, and ensures that its military ranks and 'war on crime' do not create police officials who alienate the citizens they serve.



To comment on this article visit
<http://www.issafrica.org/sacq.php>

NOTES

- 1 SAPS Media Statement, *Police ministry announces new police ranks*, 12 March 2010.
- 2 PMG, *Independent Complaints Directorate (ICD) strategic plan and budget 2010*; SAPS on its new rank structure, 16 March 2010; PMG, Information Sharing Meeting with the German Parliamentary Delegation, 12 April 2010.
- 3 Human Science Research Council, *Between trust and scepticism: public confidence in institutions*, available at http://www.hsrc.ac.za/HSRC_Review_Article-85.phtml (accessed 13 September 2010); Citizen Surveys, *Afrobarometer: Summary of Results, 2008*, www.afrobarometer.org (accessed 2 March 2010).
- 4 R Mattes, *Good News and Bad: Public perceptions of crime, corruption and government*, *SA Crime Quarterly* 18, 2006.
- 5 M O'Donovan, *South Africans' perceptions of the police and the courts: Results of the 2007 National Victims of Crime Survey*, *ISS Paper 176*, Institute for Security Studies, 2008.
- 6 R Jewkes and R Morrell, *Gender and sexuality: emerging perspectives from the heterosexual epidemic in South Africa and implications for HIV risk and prevention*, *Journal of the International AIDS Society*, 13 (6) 2010, available at: <http://www.jiasociety.org/content/13/1/6> (accessed 22 October 2010).
- 7 J Hornberger, *Everyday police corruption in South Africa: Beyond 'Good cop'/'Bad cop'*, presentation given at an Institute for Security Studies and Independent Complaints Directorate workshop, 16 September 2010, Garden Court Marine Parade, Durban. (For details of this research see: D Vigneswaran and J Hornberger (eds.), *Beyond 'Good Cop'/'Bad Cop': Understanding Informality and Police Corruption in South Africa*, Open Society Reports, 2009).
- 8 The Independent Police Investigative Directorate Bill (15 of 2010) was debated before parliament in August 2010, and should come into effect in early 2011.
- 9 See for example: Keynote address by Honourable Ghishma Barry, MEC for Transport, Safety and Liaison at the 2010 FIFA World Cup law enforcement agencies thank you parade, available at: <http://www.info.gov.za/>

[speech/DynamicAction?pageid=461&sid=11401&tid=11873](http://www.info.gov.za/speech/DynamicAction?pageid=461&sid=11401&tid=11873) (accessed 10 November 2010); public commentary at <http://www.flyafrika.info/forums/showthread.php?29175-Well-done-SAPS-with-World-Cup-2010> (accessed 10 November 2010); SAPS media statement at http://www.saps.gov.za/_dynamicModules/internetSite/newsBuild.asp?myURL=993; J Burger, SA police kept its promise, *the African.org*, 9, 2010.